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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,828	06/16/2000	Sami Ala-Luukko	2132-32PCON	2745

7590 06/07/2004
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EXAMINER

MAIS, MARK A

ART UNIT	PAPER NUMBER
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2664

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DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/595,828

Applicant(s)

ALA-LUUKKO ET AL.

Examiner

Mark A Mais

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-8, 11-20, 23-25 and 28-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-8, 11-20, 23-25 and 28-38 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 6-8, 11-15, 18-20, 23-25, 28-32, and 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suominen et al. (WO 97/44943) in view of Knuutila et al. (USP 6,131,040), further in view of Schmid (USP 5,887,249).

3. With regard to claims 1, 3, 6, 8, 11-12, 15, 18, 20, 23, 25, 28-29, and 35-38 Suominen et al. discloses a system and method of modifying and transmitting one of intelligent network service data/service parameters (**call diversion, knocking, blocking, page 1, lines 7-16**) in a telecommunication system telephone system (**telephone network; Fig. 1, Application 14 connects the data network to the telephone network (not shown), see also page 9, claim 4**) connected through a second telecommunications network comprising a digital mobile telephone network by connecting the second telecommunications network to the service logic and service data of the SCP (**Fig. 1, control server 9**) and/or SDP (**Fig. 1, database means 10**) via a gateway (**fig. 1, network server 8**) and modifying (**inherently through a write operation on**

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the contents of database means 10, Fig. 1) service data/service logic (call diversion, knocking, blocking, page 1, lines 7-16) of the SCP/SDP using the 2nd network's protocol.

4. Suominen et al. discloses the use of a portable mobile station for modifying the SCP/SDP **(page 3, line 20)**. Suominen et al. also discloses that any other telecommunications network system is valid for modifying the intelligent network's SCP/SDP **(page 6, lines 15-17)**.

Suominen et al. does not specifically disclose modifying the intelligent network's SCP/SDP using the digital mobile telephone network's protocol. Knuutila et al. (USP 6,131,040) discloses a portable mobile station that uses several different protocols for wireless data transmission **(col. 1, lines 6-10; Fig. 1, mobile station 3 communicates using communication device 1 (PCMCIA card); see also col. 4, lines 19-35)**. For example, Knuutila et al. discloses different telecommunications protocols **(col. 4, line 64 to col. 5, line 4; see also col. 10, lines 35-43)** and, specifically, discloses the use of GSM network telecommunications protocol **(col. 5, lines 50-51)**.

5. Moreover, Schmid discloses using the two different protocols: the telecommunication protocol **(cell system and activation system communicate using X.400 protocol running on top of TCP/IP, col. 9, lines 29-37)** and the second telecommunication network's protocol **(digital mobile telephone standards IS-55B and IS-136, see also col. 4, lines 50-60)**. The wireless terminal transmits a SMS to the cell system and activation system **(col. 2, lines 54-58)** and can integrate this type of SMS messaging into an intelligent network **(col. 11, lines 12-13)**. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to

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combine the functionality of Suominen et al. in changing the service data/service logic of one intelligent network (**telecommunications telephone system**) with the ability to use multiple protocols as described in Knuutila et al. when being accessed by different networks, and specifically using the SMS (text messaging) disclosed in Schmid, because the multiple protocols used in Knuutila et al. would allow more functionality for mobile stations using different wireless telecommunications networks and allow users to change their service data/service logic using the second telecommunications network's protocol (e.g., **GSM disclosed in Knuutila et al., col. 5, lines 50-51**).

6. With regard to claim 2, 7, 19 and 24, Suominen et al. does not specifically disclose a gateway performing a conversion between protocols. Suominen et al. discloses the use of a mobile station. Knuutila et al. also discloses the use of a mobile station. Schmid discloses a wireless terminal capable of using multiple protocols (**cell system and activation system communicate using X.400 protocol running on top of TCP/IP, col. 9, lines 29-37; digital mobile telephone standards IS-55B and IS-136; see also col. 4, lines 50-60**). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the functionality of Suominen et al. in changing the service data/service logic of one intelligent network (**telecommunications telephone system**) with the ability to use multiple protocols, as described in Knuutila et al., and performing a conversion between protocols within a gateway in order to allow more functionality for wireless mobile stations and allow users to change their service data/service logic. Furthermore, Karparaa et al. (WO 97/16007) discloses the general state of

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the art with respect to a gateway: it adapts two different protocols to each other (**page 2, lines 18-21**).

7. With regard to claim 12 and 29, Schmid discloses returning an acknowledgement message from the SDP to the gateway once the service data/service logic change is completed, and sending the message to the terminal device (**col. 8, lines 25-47**).

8. With respect to claims 13, 14, and 30-32, Suominen et al. discloses a record in database means 10 (**Fig. 1**) that is identified to be modified. Suominen et al. and Knuutila et al. disclose the use of mobile stations. However, Suominen et al. does not specifically disclose using a calling subscriber number of the text message transmitted by the terminal device to do so. However, Schmid discloses using the contents of the text (SMS) message to identify the soon-to-be-modified record (**ESN, col. 5, lines 12-19; initial ID, col. 3, lines 6-7**). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the mobile stations of Suominen et al. and Knuutila et al. to use the text (SMS) message disclosed in Schmid because using the multi-protocol approach, as explained above, allows the cell system to more functionality.

9. Claims 16 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suominen et al. in view of Knuutila et al., and further in view of Schmid as applied to claims 2, 7, 12-14, 19, 24, and 29-31 above, further in view of Alanara (USP 6,064,880).

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10. With respect to claims 16 and 33, Suominen et al. does not specifically disclose that the information transmitted between the terminal device and the gateway is transmitted using USSD protocol. Suominen et al. and Knuutila et al. disclose the use of mobile stations. Schmid discloses the use of SMS. However, Alanara discloses that USSD can be interchanged with SMS for different digital mobile telephone protocols (**col. 7, lines 25-39**). It would have been obvious to one of ordinary skill in the art at the time of the invention to have substituted the protocol used in Suominen et al. with the protocols described in Alanara (USSD) because Alanara discloses that the invention, while using the IS-136 standard, can also be readily interchanged with the messaging and data transfer capabilities of other systems--specifically, USSD.

11. Claims 17 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suominen et al. in view of Knuutila et al. further in view of Schmid as applied to claims 2, 7, 12-14, 19, 24, and 29-31 above, further in view of Kingdon et al. (USP 6,088,594).

12. With respect to claims 17 and 34, Suominen et al. does not specifically disclose that the information transmitted between the terminal device and the gateway is transmitted using WAP protocol. Suominen et al. and Knuutila et al. disclose the use of mobile stations. Schmid discloses the use of SMS. However, Kingdon et al. discloses that WAP is a protocol that can be used, instead of SMS or USSD (**col. 3, lines 13-30**), with different digital mobile telephone protocols (**col. 3, lines 39-49**). It would have been obvious to one of ordinary skill in the art at the time of the invention to have substituted the protocol used in Suominen et al. with the

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protocol used on Kingdon et al. because the WAP protocol overcomes the deficiencies of both SMS and USSD, wherein they can only support short text messages, and, the WAP protocol can support the use of higher data rates (e.g. graphics).

Response to Amendment

13. Applicant's arguments with respect to claims 1-3, 6-8, 11-20, 23-25, and 28-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A Mais whose telephone number is (703) 305-6959. The examiner can normally be reached on 8:00-4:30.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (703) 305-4366. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 14, 2004

A handwritten signature in black ink, appearing to read 'W. Chin', with a long horizontal flourish extending to the right.

WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600